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# State of Utah

## DEPARTMENT OF NATURAL RESOURCES Division of Water Rights

MICHAEL R. STYLER  
Executive Director

JERRY D. OLDS  
State Engineer/Division Director

TO: LEE \_\_\_\_\_  
Mike \_\_\_\_\_  
Jett \_\_\_\_\_  
(ACCT NO. 100261)  
File \_\_\_\_\_  
(SEAA 1094)

15 August 2006

ALAN & TAMMY HANSEN  
PO BOX 15  
BERYL UT 84714

RE: **SEAA 1094 / NOTICE OF AGENCY ACTION – UNLAWFUL DIVERSION OF  
WATER / DISTRIBUTION ACCT. NO. 100261**

Mr. & Mrs. Hansen,

This letter is being written to acknowledge and document your evident compliance with the requirements set forth in the referenced Notice. It is noted that you have made arrangements for the filing and approval of Temporary Change Application t31510 (71-4305) by Kerry & Dee Ann Holt, owners of the underlying water right. The application was approved on 18 May 2006 and will expire on 31 October 2006.

It is also noted that the subject application is limited to the irrigation requirements of 6.50 acres. Together with your existing right under 71-3460 which allows for irrigation of 0.05 acre, it is understood that your irrigation for the 2006 season will be **limited to 6.55 acres until and unless additional rights are properly approved for use from your well and on your land.**

The Division's records indicate that the Holt water right 71-4305 which you are using for the 2006 season is also the subject of a Permanent Change Application (a31767) which may make this right unavailable for use in future years.

It is assumed you understand that "temporary change applications" expire at the end of each season (period of use) and must be re-filed and approved if use is contemplated for additional seasons. If you are unable or determine not to arrange for appropriate applications to continue irrigation of your land in future seasons, no more land is to be irrigated than is allowed under your water right, 71-3460. Irrigation of land in excess of that allowed will make you subject to formal enforcement actions which could lead to the imposition of substantial fines and penalties.

With the arrangements and understandings set forth above, the subject agency action can be formally concluded. Your efforts to comply with the order are commended and appreciated.

Please be aware that you remain responsible for any necessary arrangements to provide sufficient rights for the acreage served by your well. The Escalante Valley Distribution Commissioner may be making regular observations to assure that no more land is being irrigated your well than is allowed under the approved applications or perfected water rights.

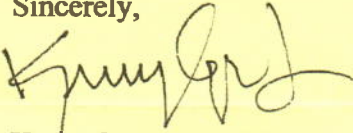
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WATER RIGHTS  
SALT LAKE

You should consult regularly with Distribution Commissioner Karl Schmutz Gull or with Southwestern Region Office of the Division of Water Rights in Cedar City to assure continued maintenance of the required arrangements.

Sincerely,



Kerry Carpenter, P.E.  
Enforcement Engineer

pc: G. Kurt Vest, P.E. / Southwestern Regional Engineer  
Lee H. Sim, P.E. / Assistant State Engineer – Regulation  
Mike Silva, P.E. / Regulation Section  
Karl Schmutz, Distribution Commissioner / PO Box 112 / ENTERPRISE UT 84725

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